

## REMARKS/ARGUMENTS

### Summary of Applicant's Amendments

Claims 37-38 were rejected under 35 U.S.C. 112, first paragraph.

Claim 36 was rejected under 35 U.S.C. 112 for insufficient antecedent basis.

Claims 1-5 and 8-9 were rejected under 35 U.S.C. 103(a) as being anticipated by Kita U.S. Patent No. 6,263,218 (hereinafter "Kita") in view of Zhang et al. U.S. Patent Application Publication No. 2004/0058647 (hereinafter "Zhang").

Claim 11-13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita and Zhang and further in view of Tagawa Japanese Publication No. 2001086202 (hereinafter "Togawa").

Claims 15-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kita and Zhang and further in view of Perry U.S. Patent No. 6,160,489 (hereinafter "Perry") and Toyoshima JP2001-352378 (hereinafter "Toyoshima").

Claim 24 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita in view of Perry and Toyoshima and further in view of Oota U.S. Publication No. 2003/0176205 (hereinafter "Oota").

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita in view of Fujisawa et al. U.S. Patent Application Publication No. 2002/0115478 (hereinafter "Fujisawa").

Claim 25 and 27 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita and Fujisawa and

further in view of Toyoshima JP2001352378 (hereinafter "Toyoshima").

Claim 26 was rejected under under 35 U.S.C. 103(a) as being unpatentable over Kita in view of Togawa.

Claims 28-30 were rejected under under 35 U.S.C. 103(a) as being unpatentable over Kita and Fujisawa and further in view of Toyshima and Higuchi U.S. Patent No. 6,697,647 (hereinafter "Higuchi").

Claims 31-34 were rejected under under 35 U.S.C. 102(e) as being unpatentable over Fujisawa.

Claims 35-36 and 39-40 were rejected under 35 U.S.C. 102(b) as being anticipated by Tamami JP10155012 (hereinafter "Tamami").

Claims 37-38 and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tamami in view of Fujisawa.

#### Summary of Applicant's Amendments

Applicant has amended claims 35 and 36 without prejudice and solely in order to expedite prosecution.

Applicant traverses the Examiner's rejections. Applicant reserves the right to claim any subject matter lost by any claim amendment or cancellation, or any subject matter included in the present application, in any number of continuation or divisional applications.

#### The 35 U.S.C. § 112 Rejection

##### Claims 37 and 38

Claims 37 and 38 were rejected under 35 U.S.C. 112, first paragraph.

The Examiner stated:

"wherein said notification signal is light-based.  
it is not clear from applicant's specification  
how vibrational signal sensed ... is converted to  
the light-based signal."  
(Office Action, page 3)

The Examiner appears to believe that vibrations  
must be transformed into light for light to be produced.

Applicant's device senses vibrations.  
Applicant's device then provides a communications signal.  
Then, applicant's device provides a notification.  
Applicant's specification clearly shows vibration sensing  
devices as well as notification sensing devices and various  
circuitry in-between (e.g., See FIG. 4).

When a person uses a television set to change the  
channel, that manual input is not transformed into a  
streaming video signal. Instead, the manual signal is  
received and a video signal is outputted as a result of  
received control signal. Similarly, when someone orders a  
cheeseburger from a drive-in window, that person's verbal  
order is not transformed into a physical cheeseburger.  
Instead, someone takes that order, makes a cheeseburger,  
and then delivers that cheeseburger to the person that  
placed the order.

The Examiner cannot read elements into a claim  
that are not in a claim. Claims 37 and 38 do not include a  
feature that requires the transformation of a vibration.  
Claim 37 includes two signals -- a communication signal  
that is received and a notification signal that is  
provided.

Applicant's specification clearly discusses  
produces certain signals in response to other signals using  
multiple components and circuitry in-between(e.g., See FIG.  
4).

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claims 37 and 38 be withdrawn. For at least these reasons, claims 16-21 are also patentable.

#### Claim 36

The Examiner rejected claim 36 for having improper antecedent basis. Applicant has amended claims 36 and 37. Accordingly, applicant respectfully requests that the Examiner's rejection of claims 36 and 37 be withdrawn.

#### The 35 U.S.C. § 102(b) Rejection

##### Claim 1

Claims 1-5 and 8-9 were rejected under 35 U.S.C. 103(a) as being anticipated by Kita in view of Zhang.

The Examiner stated that Kita:

"does not specifically teach: sensing device that senses a signal, operable to directly perceived by a user from the cellular phone.

...Zhang discloses ... sensing device that senses a signal, operable to directly perceived by a user (reads on ringing telephone signal) from the cellular phone." (Office Action, pages 3-4)

Applicant's invention of claim 1 includes an autonomous sensing device that senses a signal from a cellular phone that is able to be directly perceived by a user. For example, a user can directly perceive the vibrations from a vibrating cellular phone. Accordingly, applicant's autonomous device is able to receive signals that a cellular phone produces for a user. As a result, applicant's autonomous sensing device may be used with a wide variety of makes/models of cellular phones - the

autonomous device does not need to understand the electrical communication protocols of any individual make/model.

Kita's device merely receives an electrical signal configured specifically to be received by the Kita device. The signal that the Kita device receives cannot be perceived by a user. In other words, Kita merely describes a direct communication device. The Kita device does not show or suggest - in any way, shape, or form - an autonomous sensing device that receives a signal that is able to be directly perceived by a user.

Zhang does not correct for this deficiency. Zhang merely discusses a hands-free adapter that directly communicates through a phone via a feature connector. When an incoming call is detected through this feature connector, the hands-free adapter is able to receive voice commands from a user (e.g., a voice command of "Pick Up"). The signals through the feature connector are not able to be perceived by a user.

Accordingly, neither Zhang nor Kita show or suggest applicant's invention of claim 1 of an autonomous sensing device that senses a signal from a cellular phone that is able to be directly perceived by a user.

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claim 1, and any claims dependent therefrom, under 35 U.S.C. 102(a) be withdrawn.

Claim 14

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita in view of Fujisawa.

The Examiner previously stated that:

"Applicant's claim limitation does not preclude other forms of notification so long as the reference is also teaching light-based notification"

(Office Action dated March 28, 2008, page 14)

Applicant's invention of claim 14 clearly mentions that the notifications are "only light based." Accordingly, applicant's invention of claim 14 does preclude other forms of notification. Kita does not show or suggest such a feature.

Fujisawa does not correct for the deficiency of Kita. The Examiner stated that Fujisawa discusses such a feature in paragraph 534. Paragraph 534 clearly references FIG. 33 where numerous devices are utilized (e.g., light emitting unit 152, electronic sound unit 153, and vibrator 154).

Accordingly, neither Fujisawa nor Kita, used either alone or in combination, show or suggest applicant's invention of claim 14 of a communication device that is configured to provide notification signals that are only light-based.

Accordingly, claim 14 is patentable. Applicant respectfully requests that the Examiner's rejection of claim 14, and any claims dependent therefrom, under 35 U.S.C. 102(b) be withdrawn.

The 35 U.S.C. § 102(e) Rejections

Claim 31

Claims 31-34 were rejected under under 35 U.S.C. 102(e) as being unpatentable over Fujisawa.

Applicant has amended claim 31 includes a remote communication device is configured to provide notification signals that are only light-based.

The Examiner stated that Fujisawa discusses such a feature in paragraph 534. Paragraph 534 clearly references FIG. 33 where numerous devices are utilized (e.g., light emitting unit 152, electronic sound unit 153, and vibrator 154). Accordingly, Fujisawa does not show or suggest a device configured to produce only light-based notification signals.

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claim 31, and any claims dependent therefrom, be withdrawn.

#### Claim 35

Claims 35-36 and 39-40 were rejected under 35 U.S.C. 102(b) as being anticipated by Tamami.

Tamami alleges a remote control vibrator and a changeover switch when a telephone set does not hook off within a predescribed time.

Applicant has amended claim 35 solely in order to expedite prosecution. Applicant's amended claim 35 includes physically sensing that a portable electronic device is vibrating. Tamami does not sense physical vibrations. Instead, Tamami allegedly receives an incoming call. Determining an incoming call is not physically sensing a device vibrate.

In light of the foregoing, applicant respectfully requests that the Examiner's rejection of claim 35, and any claims dependent therefrom, be withdrawn.

### The Dependent Claims

Claim 11-13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita and Zhang and further in view of Tagawa. Claims 15-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kita and Zhang and further in view of Perry and Toyoshima. Claim 24 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita in view of Perry and Toyoshima and further in view of Oota. Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita in view of Fujisawa. Claim 25 and 27 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita and Fujisawa and further in view of Toyoshima. Claim 26 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kita in view of Togawa. Claims 28-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kita and Fujisawa and further in view of Toyshima and Higuchi. Claims 37-38 and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tamami in view of Fujisawa.

As shown above, applicant's independent claims 1, 14, 31, and 35 are patentable. Each of the above claims depend from claim 1, 14, 31, or 35. Accordingly, applicant respectfully requests that the above claims are patentable for depending from patentable independent claims.

Conclusion

Applicant respectfully submits that this application, including the pending claims, is in condition for allowance. A favorable action is respectfully requested.

The Director is hereby authorized to charge any fees associated with this filing, or credit any overpayment of the same, to Deposit Account No. 50-3855.

Respectfully Submitted,

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